



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Adopt Resolution Approving the Addendum to the Improvement Agreement for the Public Improvements of Almondwood Estates, Tract No. 3273, and Accepting Stockton Street and Almond Drive Street Frontage Improvements in Almondwood Estates, Tract No. 3273, and Appropriate Funds (\$20,300)

**MEETING DATE:** September 1, 2004

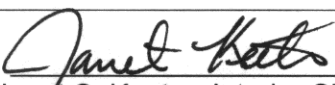
**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** That the City Council adopt a resolution approving the addendum to the improvement agreement for the public improvements of Almondwood Estates, Tract No. 3273, and accepting Stockton Street and Almond Drive street frontage improvements in Almondwood Estates, Tract No. 3273, direct the City Manager and City Clerk to execute the addendum to the improvement agreement on behalf of the City; and appropriate funds for required reimbursements.

**BACKGROUND INFORMATION:** Almondwood Estates, Tract No. 3273, is located north of Almond Drive and east of Stockton Street, as shown on Exhibit A. Improvements in the subdivision include street frontage improvements along Stockton Street and Almond Drive, as well as improvements within the subdivision boundaries. Resolution No. 2003-98 approving the improvement agreement for the subdivision was adopted by Council on June 4, 2003. Resolution No. 2004-03 approving an addendum to the improvement agreement covering reconstruction of the existing street improvements east of the centerline in Stockton Street was adopted by City Council on January 7, 2004. The terms of the addendum provided for reimbursement to the developer by the City for the Stockton Street work and funds (\$48,070) were appropriated.

On April 21, 2004, Resolution No. 2004-91 was approved by Council authorizing the installation of traffic safety improvements on Stockton and Maxwell Streets required as a result of the Neuharth Drive/Ackerman Drive abandonment requested by Cottage Bakery. The work was to be performed as part of the Almondwood Estates development with the developer being reimbursed by the City under the terms of an addendum to the improvement agreement for the subdivision. Cottage Bakery deposited funds (\$5,000) covering a portion of the reimbursable costs with the City. The balance of the reimbursable costs (\$8,000) was appropriated at the time of adoption of the Resolution.

In addition, during the course of construction for the subdivision, staff determined that, due to the deteriorated condition of the existing pavement in Stockton Street, the pavement west of the centerline should be overlaid as part of the subdivision improvements. The developer agreed to perform this work and is eligible for reimbursement by the City for the work in conformance with LMC 16.40 Reimbursement for Construction. Concurrent with this overlay work, Street Maintenance crews completed base failure repairs southerly along Stockton Street, thereby preserving the viability of

APPROVED:   
Janet S. Keeter, Interim City Manager

Stockton Street until delayed STIP Rehabilitation Funds are released by the State in 2007. The additional appropriation needed to cover the cost of the work performed by the developer is \$20,300.

Staff recommends that the Council approve the addendum to the improvement agreement covering the reimbursement for traffic safety improvements and improvements in Stockton Street west of the centerline and appropriate \$20,300 to cover the balance of the reimbursable costs.

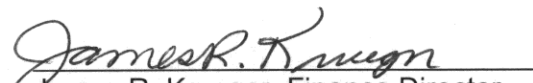
In addition, the development improvements within the subdivision boundaries have been completed in substantial conformance with the requirements of the improvement agreement between the City and KB Home North Bay, Inc., as approved by the City Council on June 7, 2003, and as amended on January 7, 2004. The improvements are shown on City of Lodi Drawing Nos. 002D120 through 002D137 and 002D150 through 002D164. The interior street improvements were accepted by Council on March 17, 2004. The remaining improvements on Stockton Street and Almond Drive are now complete and staff is recommending Council acceptance of the remainder of the development.

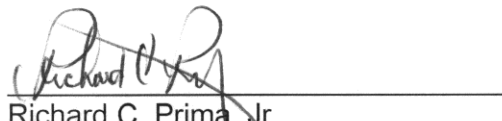
The streets to be accepted are as follows:

<u>STREETS</u>	<u>LENGTH IN MILES</u>
Stockton Street	0.00
Almond Drive	0.00

TOTAL NEW MILES OF CITY STREETS 0.00

<b>FUNDING:</b>	IMF Streets – Local (327)	\$56,070 (previously appropriated)
	Cottage Bakery (327.7726)	\$ 5,000
	Streets (320006.7726)	\$20,300

  
James R. Krueger, Finance Director

  
Richard C. Prima, Jr.  
Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer, and Wes Fujitani, Senior Civil Engineer

RCP/SAW/pmf

Attachment

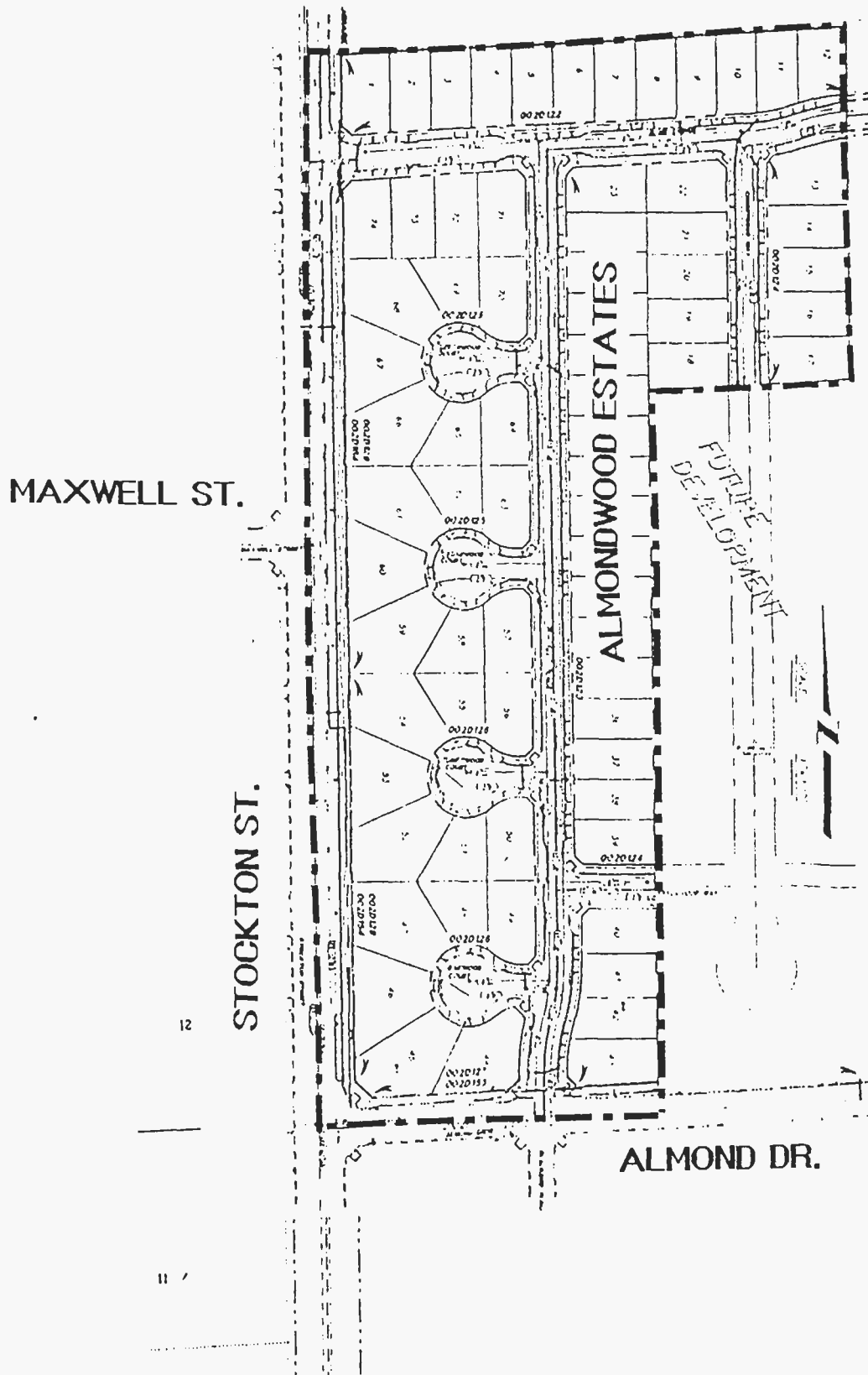
cc: City Attorney  
Senior Civil Engineer Fujitani  
Senior Civil Engineer Welch  
Senior Traffic Engineer  
Street Superintendent  
Senior Engineering Technician – Design  
Chief Building Inspector  
K B Home, Inc.  
David Evans & Associates, Inc.



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## EXHIBIT A



When Recorded, Please Return to:  
Lodi City Clerk  
P.O. Box 3006  
Lodi, CA 95241-1910

RESOLUTION NO. 2004-172

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING  
THE IMPROVEMENT AGREEMENT ADDENDUM FOR PUBLIC  
IMPROVEMENTS OF ALMONDWOOD ESTATES, TRACT NO. 3273,  
AND ACCEPTING STOCKTON STREET AND ALMOND DRIVE STREET  
FRONTAGE IMPROVEMENTS IN ALMONDWOOD ESTATES, TRACT  
NO. 3273, AND FURTHER APPROPRIATING FUNDS FOR REQUIRED  
REIMBURSEMENTS

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WHEREAS, Almondwood Estates, Tract No. 3273, is located north of Almond Drive and east of Stockton Street; and

WHEREAS, improvements in the subdivision include street frontage improvements along Stockton Street and Almond Drive, as well as improvements within the subdivision boundaries.

WHEREAS, on April 21, 2004, Resolution No. 2004-91 was approved by Council authorizing the installation of traffic safety improvements on Stockton and Maxwell Streets required as a result of the Neuharth Drive/Ackerman Drive abandonment requested by Cottage Bakery and appropriating funds for said work with the work to be performed by the developer of the Almondwood Estates subdivision as part of that development and the developer being reimbursed by the City under the terms of an addendum to the improvement agreement for the subdivision; and

WHEREAS, during the course of construction for the Almondwood Estates subdivision, City staff determined that, due to the deteriorated condition of the existing pavement in Stockton Street, the pavement west of the centerline should be overlaid as part of the subdivision improvements and the developer agreed to perform this work and is thereby eligible for reimbursement by the City for the work in conformance with LMC 16.40, Reimbursement for Construction, said reimbursement requiring an additional appropriation of \$20,300.00; and

WHEREAS, staff recommends that the Council approve the addendum to the improvement agreement covering the reimbursement for traffic safety improvements and improvements in Stockton Street west of the centerline and appropriate \$20,300 to cover the balance of the reimbursable costs; and

WHEREAS, the development improvements for the subdivision have been completed in substantial conformance with the requirements of the Improvement Agreement between the City of Lodi and KB Home North Bay, Inc., as approved by the City Council on June 7, 2003, and as amended on January 7, 2004, and by the above referenced Addendum to the Improvement Agreement, all as shown on City of Lodi Drawing Nos. 002D120 through 002D137 and 002D150 through 002D164; and

WHEREAS, the interior street improvements were accepted by Council on March 17, 2004, and the remaining improvements on Stockton Street and Almond Drive are now complete and staff is recommending Council acceptance of the remainder of the development.

The City Council of the City of Lodi finds:

1. That the Addendum to the Improvement Agreement for the Public Improvements of Almondwood Estates, Tract No. 3273, is hereby approved, and further authorizes the City Manager and City Clerk to execute said Addendum; and
2. That all requirements of the Improvement Agreement between the City of Lodi and KB Home North Bay, Inc., as approved by the City Council on June 7, 2003, and as amended on January 7, 2004, and by the above referenced Addendum to the Improvement Agreement, have been substantially completed. The improvements are shown on City of Lodi Drawing Nos. 002D120 through 002D137 and 002D150 through 002D164, on file in the Public Works Department; and
3. That funds in the amount of \$20,300 be appropriated from the Street Fund for the required reimbursements; and
4. The streets to be accepted are as follows:

<u>Streets</u>	<u>Length in Miles</u>
Stockton Street	0.00
Almond Drive	<u>0.00</u>
<b>Total New Miles of City Streets</b>	<b>0.00</b>

Dated: September 1, 2004

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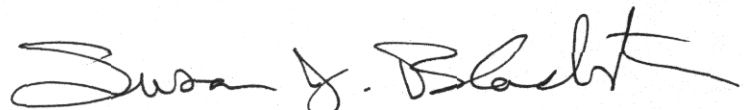
I hereby certify that Resolution No. 2004-172 was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 1, 2004, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hitchcock, Howard, and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Land

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON  
City Clerk

CITY COUNCIL

LARRY D. HANSEN, Mayor  
JOHN BECKMAN  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
EMILY HOWARD  
KEITH LAND

CITY OF LODI  
PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6706  
FAX (209) 333-6710  
EMAIL [pwdept@lodi.gov](mailto:pwdept@lodi.gov)  
<http://www.lodi.gov>

JANET S. KEETER  
Interim City Manager  
SUSAN J. BLACKSTON  
City Clerk  
D. STEVEN SCHWABAUER  
City Attorney  
RICHARD C. PRIMA, JR.  
Public Works Director

August 26, 2004

KB Home, Inc.  
611 Orange Drive  
Vacaville, CA 95687

David Evans & Associates, Inc.  
5311 Pirrone Road, Ste. B  
Salida, CA 95368

SUBJECT: Adopt Resolution Approving the Addendum to the Improvement Agreement for the Public Improvements of Almondwood Estates, Tract No. 3273, and Accepting Stockton Street and Almond Drive Street Frontage Improvements in Almondwood Estates, Tract No. 3273, and Appropriate Funds (\$20,300)

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, September 1, 2004. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Susan Blackston, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Sharon Welch, Senior Civil Engineer, at (209) 333-6800, extension 2659.



for : Richard C. Prima, Jr.  
Public Works Director

RCP/pmf

Enclosure

cc: City Clerk